

Senate Bill 475

By: Senator James of the 35th

A BILL TO BE ENTITLED
AN ACT

To amend Code Section 50-18-72, relating to exceptions to the requirement for disclosure of public records, so as to provide for exemption from disclosure of certain law enforcement and emergency response records which contain audio or video recordings of personal suffering; to provide for related matters; to provide an effective date; to repeal conflicting laws; and for other purposes.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

SECTION 1.

Code Section 50-18-72, relating to exceptions to the requirement for disclosure of public records, is amended by adding to subsection (a) a new paragraph to read as follows:

"(2.1) Records of a law enforcement agency, an emergency 9-1-1 system, a public health agency, or any other similar agency when:

(A) Such records consist of or contain audio or video recordings of the personal suffering of a crime victim, disaster victim, or other person in physical pain or distress; and

(B) Public dissemination of such records would cause emotional distress to the person whose suffering was so recorded or to the family of such person.

Records described in this paragraph shall be exempt from disclosure under this article by the law enforcement agency or other agency in possession; and if such records are used in evidence in any judicial or administrative proceeding, the tribunal may place such records under seal or otherwise prohibit their reproduction or distribution."

SECTION 2.

This Act shall become effective upon its approval by the Governor or upon its becoming law without such approval.

24

SECTION 3.

25 All laws and parts of laws in conflict with this Act are repealed.